

**THIS DECISION HAS BEEN APPEALED. THE
FOLLOWING IS THE RELATED SOAH DECISION NUMBER:**

SOAH DOCKET NO. 453-04-0658.M4

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on June 3, 2003.

I. DISPUTE

Whether there should be reimbursement for purchase of a 2001 Dodge van for date of service July 22, 2002.

II. RATIONALE

Per Texas Workers Compensation Commission §408.21(a)(1-3), pertaining to health care to treat a compensable injury, a van is not considered a medical benefit and therefore not reimbursable.

III. DECISION

Based upon the review of the disputed services within this request, the Division has determined that the requestor is not entitled to reimbursement for the purchase of a 2001 Dodge van.

The above Finding and Decision is here-by issued this 28th day of August 2003.

Marguerite Foster
Medical Dispute Resolution Officer
Medical Review Division

MF/mf